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September 16, 2022

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VIA ECF

Honorable Anne Y. Shields
United States Magistrate Judge
U.S. District Court for the Eastern District of New York
100 Federal Plaza, P.O. Box 830
Central Islip, NY 11722

**Re: *Sampson v. National Board of Medical Examiners*
(Case No. 2:22-cv-05120-JMA-AYS)**

Dear Judge Shields:

We represent Defendant National Board of Medical Examiners (“NBME”) in connection with the above-captioned matter.

Plaintiff Robert Sampson (“Plaintiff”) commenced the present action on August 29, 2022, and effected service of the Complaint on August 31, 2022. Dkt. No. 7. Accordingly, NBME’s time to respond to the Complaint presently expires on September 21, 2022. *Id.*; Fed. R. Civ. P. 12.

On September 8, 2022, the Court granted Plaintiff’s request to move for a preliminary injunction and set an expedited briefing schedule on Plaintiff’s anticipated motion. Dkt. No. 8. Following a telephonic conference held on September 12, 2022, the Court scheduled an in-person hearing on Plaintiff’s anticipated motion for October 11, 2022. Dkt. No. 12. Plaintiff’s motion must be filed by next Monday, September 19, 2022.

Given the imminent need to review and respond to Plaintiff’s anticipated motion and prepare for the upcoming hearing, NBME respectfully requests a 30-day extension of time, through and including October 21, 2022, to respond to the Complaint. Counsel for Plaintiff has informed us that Plaintiff objects to the requested extension, on the following basis: “Because of the scheduling of the motions/responses and the hearing, we need to know NBME’s defense(s).” The basis for this objection is not entirely clear, but any defenses relevant to NBME’s response to Plaintiff’s motion for preliminary injunction will be raised by NBME in its response to that motion.

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This is the first request for adjournment and will not affect any other scheduled dates. We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Adam R. Mandelsberg
Adam R. Mandelsberg

cc: All parties via ECF